



Scottish Public Services Ombudsman Act 2002

2002 asp 11

Miscellaneous and general

21 Consultation and co-operation with other Commissioners and Ombudsmen

- (1) Where the Ombudsman, at any stage in the course of considering a complaint or request, forms the opinion that the complaint or request relates partly to a matter which could be the subject of an investigation—
- (a) by the Parliamentary Commissioner for Administration under the Parliamentary Commissioner Act 1967 (c.13),
 - (b) by [^{F1}the Health Service Commissioner] under the Health Service Commissioners Act 1993 (c.46) (as that Act has effect in England and Wales),
 - [^{F2}(c) by the Public Services Ombudsman for Wales under the Public Services Ombudsman (Wales) Act 2005,]
 - (d) by a Local Commissioner under Part III of the Local Government Act 1974 (c.7), or
 - (e) by a housing ombudsman in accordance with a scheme approved under section 51 of the Housing Act 1996 (c.52),
- the Ombudsman must consult the appropriate Commissioner or other Ombudsman about the complaint or request.
- (2) If the Ombudsman considers it necessary, the Ombudsman must inform the person who made the complaint or request of the steps necessary to initiate a complaint to that Commissioner or other Ombudsman.
- (3) Where the Ombudsman consults a Commissioner or other Ombudsman in accordance with this section, the consultations may extend to any matter relating to the complaint or request, including—
- (a) the conduct of any investigation into the matter to which the complaint or request relates, and
 - (b) the form, content and publication of any report of the result of such an investigation.

Status: Point in time view as at 01/04/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Scottish Public Services Ombudsman Act 2002, Section 21. (See end of Document for details)

- (4) Where a listed authority is also an authority to which the Parliamentary Commissioner Act 1967 (c.13) applies, the Ombudsman must co-operate with the Parliamentary Commissioner to such extent as appears appropriate when exercising any function in relation to that authority.
- (5) Nothing in section 19(1) applies in relation to the disclosure of information in the course of consultation or co-operation under this section.

Textual Amendments

- F1** Words in s. 21(1)(b) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 73\(a\)](#)
- F2** S. 21(1)(c) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\), s. 40, Sch. 6 para. 73\(b\)](#)

Status:

Point in time view as at 01/04/2006. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Scottish Public Services Ombudsman Act 2002, Section 21.